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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/859,667	05/18/2001	William Race Dowling	42336.010500	3346
22191	7590	11/15/2004		
GREENBERG-TRAURIG 1750 TYSONS BOULEVARD, 12TH FLOOR MCLEAN, VA 22102			EXAMINER JUNG, DAVID YIUK	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 11/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/859,667

Applicant(s)

DOWLING ET AL.

Examiner

David Y Jung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

CLAIMS PRESENTED

Claims 1-64 are presented.

Of which:

Claims 1-21, 46-52, 54, 57, 59, 62, 64 are rejected over PGP; and

Claims 22-45, 53, 55-56, 58, 60-61, 63 are rejected over PGP and admissions against prior art.

CLAIM REJECTIONS

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21, 46-52, 54, 57, 59, 62, 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over PGP (Quote from "*E-Mail Security: How to Keep your Electronic Messages Private* by Bruce Schneier; John Wiley & Sons, Inc. 1995 as printed in <http://www.trincoll.edu/depts/cpsc/cryptography/pgp.html>).

Regarding claim 1, PGP teaches "A system for secure data transmission comprising: a session layer that maps authentication of at least one request to session level authentication, the authorization defining permitted communications between at

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least one ... and the at least one request (PGP, example paragraph, session key being used per session, authentication between Chris and Brian, thus a session level authentication).

These passages of PGP does not mention "resource" in the sense of the claim. The claim appears to refer to more than mere email resource; the claim appears to refer to a generalized resource.

Nevertheless, it was well known in the art to (if not in 1995, then at least by the time of the filing date of this application) to control "resource" in such fashion for the motivation of having more complete security.

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to modify PGP for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claim 2 (reverse proxy, etc.), such particular features are well known in the art for the purpose of handling information across computers. Regarding claim 3 (other layers unaware of the sub-layer handling, etc.), such particular features are well known in the art for the purpose of handling information across computers. For example, PGP itself handles per session. PGP would not necessarily interfere with security handlings of other layers. Regarding claims 3-21, 46-52, 54, 57, 59, 62, 64, such particular features are well known in the art for the purposes of handling information across computers and of security. Regarding claims 46-52, 62, such rulebases are well known in the art for the motivation of efficient control of networks.

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Claims 1-21, 46-52, 54, 57, 59, 62, 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over PGP (Quote from "*E-Mail Security: How to Keep your Electronic Messages Private* by Bruce Schneier; John Wiley & Sons, Inc. 1995 as printed in <http://www.trincoll.edu/depts/cpsc/cryptography/pgp.html>) and admissions against prior art.

Regarding claim 22, PGP teaches "A system for secure data transmission comprising: a ... provided by: a trusted session sub-layer for session authorization and maintenance; a trusted operating system for session separation; and a reverse proxy for data transfer between a user and a resource provider (PGP, example paragraph, session key being used per session, authentication between Chris and Brian, thus a session level authentication).

These passages of PGP does not mention "virtual gap" in the sense of the claim.

At pages 1-5 (especially page 3 during discussion of trusted operating system and page 5 during discussion of virtual air gaps), the specification of this application noted that such features are well known in such fashion for the motivation of having more complete security.

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to modify PGP for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claim 23 (other layers unaware of the sub-layer handling, etc.), such particular features are well known in the art for the purpose of handling information across computers. For example, PGP itself handles per session. Regarding claim 24

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(bundling of transport layer, etc.), such features are well known in the art of network for the motivation of efficiency. For example, TCP/IP itself bundles the transport layer differently than the classic OSI model. Regarding claims 25-45, 53, 55-56, 58, 60-61, 63, such particular features are well known in the art for the purposes of handling information across computers and of security. Regarding claims 29, such rulebases are well known in the art for the motivation of efficient control of networks.

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background.

Points of Contact

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 746-7239, (for formal communications intended for entry)

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Or:

(703) 746-5606 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (703) 308-5262 or Greg Morse whose telephone number is (703) 308-4789.

David Jung

Patent Examiner

2004-10-01

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line that ends in a small upward flick.